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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,184	04/02/2001	Edward Lo	500742.01	1685
27076	7590	08/16/2004	EXAMINER BAROT, BHARAT	
DORSEY & WHITNEY LLP INTELLECTUAL PROPERTY DEPARTMENT SUITE 3400 1420 FIFTH AVENUE SEATTLE, WA 98101			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/825,184

Applicant(s)

LO ET AL.

Examiner

Bharat N Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/23/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Specification**

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### **Drawings**

2. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### **Claim Objections**

3. Claim 8 is objected to because of the following informality:  
Claim 8 line 2 contains " the method of claim 1" which is typographical error.  
Appropriate corrections are required.

### **Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Innes et al (U.S. Patent No. 6,754,321). Innes' patent meets all the limitations for claims 1-11 recited in the claimed invention.

6. As to claim 1, Innes et al disclose a system for enhancing connectivity over the Internet (figure 1), comprising: a schedule (enterprise server) having shifts of workers in which orders are assigned to be performed (column 6 lines 14-25); a mobile device accessing the schedule by an application through the Internet (column 6 lines 25-37); and a proxy that acts for the schedule when the mobile device is temporarily disconnected to the Internet (column 6 lines 38-44).

7. As to claim 2, Innes et al disclose that a bypass mechanism to allow the proxy to update the schedule without going through a web server when the mobile device is again connected from the Internet (column 6 lines 38-44).

8. As to claim 3, Innes et al disclose that the proxy includes a server that services the application as if the application were connected to the schedule when the mobile device is temporarily disconnected from the schedule (column 2 lines 10-20; and column 6 lines 25-44).

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9. As to claim 4, Innes et al disclose that when the mobile device is again connected to the Internet, the proxy includes a servlet that communicates with the schedule to update the schedule with information generated by the application while the mobile device is temporarily disconnected from the Internet (column 2 lines 10-20; column 6 lines 25-44; and column 7 lines 12-28).

10. As to claim 5, Innes et al disclose that proxy includes a database that stores information generated by the application while the mobile device is temporarily disconnected from the schedule (column 2 lines 10-20; and column 4 lines 20-33).

11. As to claims 6-10, they are also rejected for the same reasons set forth to rejecting claims 1-5 above, since claims 6-10 are merely a method of operations performed by the apparatus defined in the claims 1-5.

12. As to claim 11, it is also rejected for the same reasons set forth to rejecting claim 1 above, since claim 11 is merely a computer program product for controlling the apparatus defined in the claim 1 (see column 2 lines 56-62).

#### **Additional References**

13. The examiner as of general interest cites the following references.

- a. King et al, U.S. Patent No. 6,721,288.
- b. Hanson et al, U.S. Patent No. 6,546,425.

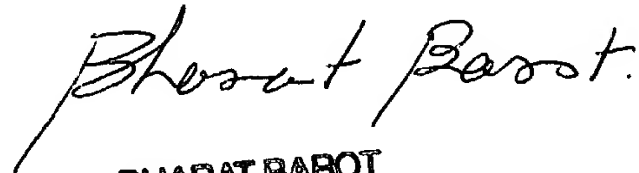
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**Contact Information**

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharat Barot whose telephone number is (703) 305-4092. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, can be reached at (703) 308-6662. A central official fax number is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.

  
**BHARAT BAROT  
PRIMARY EXAMINER**

Patent Examiner Bharat Barot

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August 05, 2004